

THE UNITED STRATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Asgrow Seed Company

Colherens, there has been presented to the

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF eighteen years from the date of this grant, subject to the payment of the required fees and periodic replenishment of viable basic seed of the variety in a public repository as provided by LAW, the right to executing the variety, or offering it for sale, or reproducing it, corting it, or exporting it, or using it in producing a hybrid or different

THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT \$42, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

GARDEN BEAN

'Peak'

In Testimony Entereot, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington

this 19th day of November in the year of our Lord one thousand nine hundred and eighty-one.

Show Lower Start Variety Protection Office

Agricultural Marketing Service

Attest

Secretary of Agriculture

	UNITED STATES DEPARTME AGRICULTURAL MARK LIVESTOCK, POULTRY, GRA	FORM APPROVED OMB NO. 40-R382					
AP	PLICATION FOR PLANT VARIETHUCTIONS: See Reverse.			No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).			
1a.	TEMPORARY DESIGNATION OF VARIETY	1b. VARIETY NAM	E		AL USE ONLY		
	XP-B108	PEAK	tw 7/15/81	PV NUMBER 8000121			
2.	KIND NAME	3. GENUS AND SPE	CIES NAME	FILING DATE	TIME A.M.		
	Garden Bean	Phaseolus	vulgaris	5/12/80 FEE RECEIVED	3:30 P.M.		
4.	FAMILY NAME (BOTANICAL)	5. DATE OF DETER	NOITANIME	\$ 500.00	5/12/80		
	Leguminosae	September 1	.978	\$ 250.00	10/26/81		
6.	NAME OF APPLICANT(S)	7. ADDRESS (Street	t and No. or R.F.D. No.,	City, State, and ZIP	8. TELEPHONE AREA		
	Asgrow Seed Company		nazoo, MI 49001 190-1		CODE AND NUMBER 616-385-6605		
9.	IF THE NAMED APPLICANT IS NOT A PE			ED, GIVE STATE AND			
9.	11. DATE OF INCORPORATION March 22, 1968						
12.	NAME AND MAILING ADDRESS OF APPI ALL PAPERS:		ATIVE(S), IF ANY, TO S	SERVE IN THIS APPLIC	CATION AND RECEIVE		
		hn A. Batcha	any 9620-190-1				
		grow seed comp <u>lamazoo, M</u> I 49					
13.	CHECK BOX BELOW FOR EACH ATTACH	MENT SUBMITTED:					
	X 13A. Exhibit A, Origin and Bree	ding History of the	Variety (See Section 5	2 of the Plant Variety	y Protection Act.)		
	X 13B. Exhibit B, Novelty Statem	ent.					
	X 13C. Exhibit C, Objective Descri	iption of the Variety	(Request form from	Plant Variety Protect	ion Office.)		
	13D. Exhibit D, Additional Desc	cription of the Variet	y .	i de 121 Mario de			
14a.	DOES THE APPLICANT(S) SPECIFY THAT	SEED OF THIS VAR	ETY BE SOLD BY VAF	RIETY NAME ONLY AS	A CLASS OF CERTIFIED		
14b,	SEED? (See Section 83(a). (If "Yes," answer DOES THE APPLICANT(S) SPECIFY THAT			NO B, HOW MANY GENER	ATIONS OF PRODUC		
	LIMITED AS TO NUMBER OF GENERATI	ONS?	TION BEYOND B	REEDER SEED?			
150		FOTION OF THE WAS	FOUNDATION	REGISTERED	CERTIFIED		
100.	DID THE APPLICANT(S) FILE FOR PROTI name of countries and dates.)				X NO (If "Yes," give		
•	agrikum numum 1942. Tarah	en de la entre tuel. La la tuel					
45.	HAVE RIGHTS BEEN GRANTED THIS VA			e de la companya de La companya de la co			
150.	and dates.)	RIETY IN OTHER CO	UNTRIES? YES	NO (If "Yes,"	give name of countries		
		+	$\chi(t) = (-1)^{-1} \cdot (t-t)$	$(x_{4},\ldots,x_{n})^{-1/2}$	•		
16.	DOES THE APPLICANT(S) AGREE TO THE JOURNAL?	PUBLICATION OF H	IS/HER (THEIR) NAME	(S) AND ADDRESS IN	THE OFFICIAL		
17.	The applicant(s) declare(s) that a viable replenished upon request in accordance	sample of basic seed	l of this variety will b	e furnished with the a	pplication and will be		
	The undersigned applicant(s) is (are) the variety is distinct, uniform, and stable a 42 of the Plant Variety Act.	e owner(s) of this se	xually reproduced no	vel plant variety, and l	believe(s) that the provisions of Section		
٠.	Applicant(s) is (are) informed that false	representation here	in can jeopardize prot	ection and result in p	enalties.		
· ·	March 18, 1980	•	*	atcha			
	(DATE)			GIGNATURE OF APPLIC			
				<i>U</i>			
	(DATE)		10	IGNATURE OF APPLIC	CANT)		
FORM	1 GR-470 (1-78)		10		1		

FORM GR-470 (1-78)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties:

 (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

8000121

EXHIBIT A: Origin and Breeding History of XP-B108 Garden Bean.

The original cross, XP-B44 x Eagle, was made in 1971 and XP-B108 was developed by pedigree (line) selection from that cross. Individual single plant selections were made until 1977 when a promising F_7 family was bulked for testing and possible increase. Yield and observation trials in 1978 determined the value of the line and that year it was designated XP-B108. Additional trials in 1979 confirmed the previous year's results.

Observations indicate XP-B108 is uniform and stable.

EXHIBIT B: Novelty Statement Concerning XP-B108 Garden Bean.

= `PEAK'

cu-71/5/8/

XP-B108 is a versatile bean that could be used by processors or for the fresh market. To our knowledge, the commercial variety that most closely resembles XP-B108 is Gator Green. Comparative characteristics that make XP-B108 a distinct variety include, but are not necessarily restricted to the following:

- 1. At any given sieve size, XP-B108 contains significantly less fiber than Gator Green as shown in trial data. (Table)
- 2. At any given sieve size, XP-B108 has a lower percent seed than Gator Green. (Table)
- 3. XP-B108 reaches a given sieve size distribution about two days earlier than Gator Green.
- 4. The genetic seed quality of XP-B108 is significantly better than that of Gator Green. Genetic seed quality is an inherent characteristic of a variety and may be measured by a procedure which correlates well with field germination. On a scale of 0-100, in which a rating of 100 is perfect, the following scores were observed for XP-B108 and Gator Green:

Rep.	XP-B108	Gator Green
τ	.66	22
II	85	5
III	69	27
IV	94_	2
Ave.	79	14

Exhibit B: Novelty Statement Concerning XP-B108 Garden Bean Attachment $\Rightarrow Peak'$ w 11618(

Asgrow Seed Company March 18, 1980

8000121

1979 TRIAL DATA

XP-B108							Gator Green				
Date	Sieve 1,2,3	Distri 4	bution 5	% Seed #5	% Fiber Sieve	Sieve 1,2,3	Distri 4	bution 5	% Seed	d % Fiber Sieve	
8/4 8/6 8/8 8/10	36 17 9 8	50 52 45 37	14 31 46 55	6 9 11 13	.005 .039 .074 .112	22 19 14 15	48 39 30 36	30 42 56 48	13 12 15 20	.068 .252 .166 .359	

1978 TRIAL DATA

XP-B108							Gator Green						
Date	Sieve <u>1,2,3</u>	Distri 4	bution 5	% Seed #5	% Fiber Sieve	Sieve 1,2,3	Distri 4	bution 5		d % Fiber #5 Sieve			
8/2 8/6 8/7 8/8 8/10	31 25 13	55 51 42	14 24 45	6 7 14	.005 .006 .112	24 18	52 50	24 32	.15 20	.114			



Asgrow Seed Company

80-121

Transfer of Plant Variety Protection Act Rights

Asgrow Seed Company, a Delaware Corporation with its principle place of business at 2605 E. Kilgore Road, Kalamazoo MI 49001, is the owner of the Plant Variety Protection Act Certificates and applications for certificates listed on and attached as Exhibit A to this document (the "Certificates and Applications").

For good and valuable consideration, reciept of which is hereby acknowledged, Asgrow hereby transfers all of its right, title and interest in and to the Certificates and Applications and to all rights relating thereto under the Plant Variety Protection Act to Seminis Vegetable Seeds, Inc., a California corporation, whose principle place of business is at 1905 Lirio Street, Saticoy, CA 93007-4206.

Dated: January 31, 1997

Asgrow Seed Company

Norman A. Braksik

President

FORM 1808 826 (2.12.12)			FORM APPRO	VED: OMB NO. 4	0-R3822
and the second control of the second	U.S. DEPARTMENT AGRICULTURAL MA LIVESTOCK, POULTRY, G BELTSVILLE, MA	RKETING SERVICE RAIN & SEED DIVISI	ON A		HIBIT C (Bean)
gs 206-44	OBJECTIVE DESCRIP BEAN (Phaseo		024	Ar ang tipangan	
NAME OF APPLICANT(S)	eed Company	To the ware		CIAL USE ONLY	
ADDRESS (Street and No. or R.F.D. No.,	Trans. Carlos accessos & ***	ka za ska a si	PVPO NUMBER	8000121	
Kalamazoo, MI 49001	sity, otate, and zip code,	Land Arriver (Arriver)	VARIETY NAME OF	TEMPORARY	
9620-190-1	Mark the state of	tomate to the second of the se	XP-B108	= DEAK	cub 1/5-187
		recognized color stand	variety. Measured dat lard may be used to de 'he location of test are	a should be for SPA etermine plant color	CED
1. TYPE:	wigh a wind distribution				<u></u>
1 = Field (dry-edible)	2 = Garden				
	Businessian of property of fictions on a	58.HC2			
5 2 Days to edible pods	golden ist finns (Observer Villan) April pir im (As Hoderic Odskor Vi April pir im (As Hoderica Villan)	etis dio le in les 1 60 % di	to green shells		
Days to dry seeds	भूतिका वेलव्यक्त १७११ (विद्यासका अस्ति।	er Rezonald B		·	
Heat units to edible po		Heat	units to green shells		
Heat units to dry seeds				4	
W LTOKERS:	Same as	1 = Tendercrop 3 = Kinghorn W 5 = Michelite 62 7 = Bush Blue L	2 = Ker 4 = Whi 6 = Dw ake 290 8 = Oth	ntucky Wonder ite Kidney arf Horticultural er (specify below)	
No. days later than	en jas ligija ja ligijiai <u>kand</u> os	Bero Price Spot Mung — Bernsenburk		Eagle	····
3. PLANT:	giorne) S'Estadosen (°).	e preside a filmanta con esta			
1 - 40.000pr 3 -	1 = Determinate	2 = Indeterminate		S = 8(0.9%	
0 / 4 5 cm height	- The many particles of the control of the contro	and the second state of the second	terland A. Peter photograph arms and a processing and a p	والمراوع	enterior enterior described to
cm shorter than	2.2. responses from \$ 8	g il Venge progr	Outo	are tagh bush fo	2.233
	Same as .	comparison variety	from above		A CONTRACTOR OF THE PARTY OF TH
om taller than					
5 5 cm spread		0 0 7 Numi	per primary branches n	ear base	
0 1 cm narrower than		comparison variety from	Branching hab		
cm wider than		above * *******			
1 Main stalk: 1 = brittle	2 = wirey		1 1 = stout 2	= thin	100
Paul printeart 1 - to	a 7 - april 3 - aminael				්ර්

3. PLANT: (Cont'd)	galamasa katan salah saga tahun tahun Tahun tahun ta	o (1823) - Alfred Mercelle (1874) (1874) Alfred Mercelle (1874) (1874) (1874)	(1) de filipe. O la l'ammana d'Arriva de la colonia, d'an distribution de la colonia de la colonia de la colonia de la colonia	and designed the anticons with the selection of the selec	Section 1 - Sectio
1 75,960 Arego	osition: 1 = low 2 = high	3 = scattered		- 1 2 8000	000121
D17 994061		D		•	
·	201701 2017				
				No. of the second	W PO
		MA H			
			NAVI -		
1 = spherical bush form	2 = stem bush 1	form	3 = wide bush form	4 = h	igh bush form
4. LEAVES:	5 = other (specify)	Sec Land			Fre page 18 or 1
2 1 = sm	ooth 2 = wrinkled	- 136 (Skilled 1975 - S	- Portuguis statis	1 = duli 2 = gi	ossy
र्थ भी प्रकार द Size: 1	= small (Earliwax) 2 = 1				ng ngangganggan mangganggang na 1860 na
	1 = light green (as light or li	. 1773	!		,
Samuel Color	3 = dark green (as dark or d	arker than Bush Blue	: Lake 290) - এ - একম সুক্রর লামক ডের		
5. FLOWERS:	ather than		1 - Teodes chop 3 - Mondagen Way 5 - Mondage 62	2 - Kertodet St 4 - White Kinne 6 - Ower Hour	A Committee of the Comm
- more and go can be an anger come and an anger about the g	1 = white 2 = cream 3 =	blink [4-mag 9-	oedst rettiea ottrer tspec		
- reserve approximation approximation of the control congress	50% bloom made back	garante management and a second	f Seas units st	r Orienski wieski iz	
6. FRESH PODS: (Edible	maturity, average for 20 poo		Company of the Company		
Section was a Section 1	r color: 1 = light green (as li 2 = medium green 3 = dark green (as d	ark or darker than Ri	ush-Blue Lake 290)		
A comment of a second of a comment of a comm	5 = golden yellow (Bri 6 = golden yellow (6 6 = green-red variage	Cherokee Wax)	Ceys to gross		
	7= other (specify)		i a sente di Paris di Sente di Paris d	ediamography en Existencia () — a zer esprincia () e ser e e	ngan Tayan ng Kinggan mina antagan ang mina dipenterang anaway bina
A AAAA TAA AAAAA AAAAA AAAAAA AAAAAAAAA	Note:	en euro contrata de la proposición de la companya de companya de la companya de la companya de la companya de c	ptimum maturity for non-	kanana kanan ambata kanan kanali kana kala kala kala kanan kanan kanan kanan kanan kanan kanan kanan kanan kan	and the state of t
Service of the servic	1 = 4.76 mm to 5.76 mm 2 = 5.76 mm to 7.34 mm 3 = 7.34 mm to 8.34 mm	5 = 9.53 mm t	o 10:72 mm - 10:50	TOUT HE (NEED FOUR DE TOTALE)	and the great of the control of the
g for every of the series of t	011 8 8 2		be this solfte this salians.	element sie de les	2.10 SYA/ ED Cercolos:
ek King Lind				35	
	3 sieve, cm l	ength (0)		mm thickne	
roman a composition of the compo	4 sieve 1 3 cm li	ength 0	9 mm width	0 9 mm thickne	CONTRACTOR
a magan mbandhidhin a midir a agus a sa na	5 sieve	euathesceie <u>Fio</u> l	oi mm width ∧	mm thickne	Section of the sectio
		ength: FBY Graces	SOME SOME SOME SOME SOME SOME SOME SOME	mm thickne	s : (See 1)

6. FRESH PODS: (Cont'd)	8000	21
3 Cross section pod shape: 1 = flat 2 = oval 3 = round		
Creaseback: 1 = present 2 = absent		MAY 1 1 1880
Pubescence: 1 = none 2 = sparse 3 = considerable	V4.3003.414080	and the second s
2 Spur: 1 = straight 2 = slightly curved 3 = curved	(1905) (1) The commence of the	er hann haller hanne hage old de geleg begen de steps geleg beg
Constrictions: 1 = none 2 = slight 3 = deep	Other Squedly Sidowy	Million and an area of
Pod flesh: 1 = light 2 = medium 3 = dark	The state of the s	
mm spur length The sparse of the sparse in		
Number of seeds per pod	georgios, usomoga	,
Surface: 1 = smooth 3 = 2 = rough	en en transferier en	and a second second second second section and second sections.
Suture string: 1 = present 2 = absent	Osivar (episonly heduvo)	
Seed development (Snap Bean): 1 = slow 2 = medium	3 = fastagA não	
Machine harvest: 1 = adapted 2 = not adapted	. []] Bean yedew mossic virus	,
Pod flavor: (1) Standard (Tendercrop) (2) Mild Blue Lake (BBL 274) (3) Strong Blue Lake (Pole FM1) (4) Mild Romano (Roma) (5) Strong Romano (Pole Romano) (6) Other (specify)	(1) seconds mention	
7. SEED COAT COLOR:	Juli (1986-1997) J. 1.3 Juli (1986-1996) Baraja Ajara (1986-19), cos	(o pa(o sc)
Maria Caractal Andreas	Sociation Arms	
Primary color: 1 = white 2 = yellow 3 = 8	ouff 4 = tan	
Secondary colors 5 = brown 6 = pink	7 Fred გიაიი 8 플 purple 1 = other (specify)	
Color Pattern: 1 = none 2 = splashed 3 = mottled	4 = striped 5 = flecked 6 = dotted	and the second s
Secondary color location: 1 = hilar ring 3 = sides 5 = not-restricted to any area	2 = ventral surface 4 = dorsal surface 6 = combination of location (specify	below)
Hilar ring on colored seeds: 1 = absent 2 = narrow 3	= butterfly shaped	
8. SEED SHAPE AND SIZE: 2 Hillum view: 1 = elliptical 2 = oval 3 = round	consideration assert (non base one ross section: 1 = elliptical 2 = oval 3 = cords 4 = round	ite
Side view:		n. 7

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8. SE	ED-SH	APE A	ND SIZE: (Cont	(d)	A-H-A-M	hola bur	do Bes	L-12-00-00-00-00-00-00-00-00-00-00-00-00-00	t o de puedo trio de como menso de de escara con como e territorio de estableca de de encontrato de la composición del composición del composición de la composición del composición de la composición del composición del compo	5496 B CL C
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			gm/100 seed ligh	ter than			Questi es	्रांकाः व = स्थाप्तक्ष्य - है - ब = श्वत्यक्ष	THE GLOCKERY.	
i de al	æso	en:	4 1780 885 6 ·	gm/100 seed	same as	December 1 and the last of the	con	nparison variety from pag	ge one	
	0	3	gm/100 seed hea	ou cope so les evier than	To. 1 Space	400.08 8	ζ = (%¥);	Bereit in the second se	ti na selemen i tama kayaka dijana awak ti selem ke wilika kata	
9. A	NTHO	YAN	IN: (1 = absent	-	sides	ang kalang salah dalah salah Jan	W-1,	中心的医治病 到代替此的	oceano (spenie below)	
1 F	lowers	t ter	1 - 1 -	e ws color receiver		ods	1	Seeds	1 Leaves	
10. DI	ISEASE	RES	COMPANSION ISTANCE (0 = no		Susceptible	2 = resistant):	<u> </u>	Sunday to the second to the second		
		1	Anthracnose (sp	,	a nini	6 : pink 10 : black	0	er (#BeciţA) Fuscou <u>s</u> blight		tan interpretation of the control of
		0	Rust (specify rac	e below)	6 or 4728,450	2 m veilow S	0	Red node virus		
ž.*	SEED!		Powdery mildew	repma 2 7 P	, italih di era ranggar	To the second se	0.7	Pod mottle virus		
, Carrier (San	and promised in the Section of the S	0	Fusarium root ro	t (B) Ouner,	Supplies (The first section of the section of	- 2	Bean common mosaic v Common, NY 15	irus (specity strain belo	w)
		0	Pythium root rot	05 PHW (V)	្តលាស់មាន រុង្គជារួន			2 Mosaic mo	ottie	
		0	Rhizoctónia reet	(5) MEG 88	V Tarvisst	5.54) 5		1 Black root	t	
		0	Pythium wilt	1 468 51] = 364.	354 - 3 Ju u	t xd agarod	0	Bean yellow mosaic viru	as ·	
		0	Angular leaf spot	pman (Snac	Resolution (1 mail	sia S a lisassini	30	Curly top		
		0	Bacterial wilt	ð j-8 √6≥0 €	: 3 - 95860 1			Other (specify below)		
		1	Halo blight (spectace 2	ify race below	Q carries	_				
11. IN	SECT	REŠIS	TANCE: (0 = no	t_tested 1 =	susceptible	2 = resistant)				
		0	Aphids	1996 - 2 m 599	୍ରଣ ଓଡ଼େଖ	<u>លើសមា្តក</u>	0	Root knot nematode		
	(Leaf hopper	.a	_		0	Seed corn maggot		
	Ĺ	0	Lygus				0	Thrips		
		0	Pod borer	# BER 1 - \$.	Ambrigalkula (j. j.	- 대유하는	0	Weavils		
			j gwraiten	1 January	ी मालाक्ष्य 3	e Merétés		Other (specify below)		
12. PF	IYSIOL	OGIC	AL RESISTANC	E: (0 = not to	sted \ 1 = sus	ceptible 2 = re	sistant)			
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13. C	OMME	-		j . K.empur	s a constant		· · ·			
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